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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,146	01/04/2002	Nagatoshi Kurahashi	501.41062X00	1748

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EXAMINER

CHOWDHURY, TARIFUR RASHID

ART UNIT PAPER NUMBER

2871

DATE MAILED: 06/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/035,146

Applicant(s)

KURAHASHI ET AL.

Examiner

Tarifur R Chowdhury

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-4 and 8-10 is/are allowed.
- 6) ☒ Claim(s) 5 and 11 is/are rejected.
- 7) ☒ Claim(s) 6,7 and 12-15 is/are objected to.
- 8) ☒ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. In response to applicant's argument and amendment filed on 05/19/03, the examiner hereby withdraws the restriction requirement and accordingly all the pending claims are examined on the merits

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 5 and 11 are under 35 U.S.C. 102(e) as being anticipated by TAI et al., (TAI), US 2001/0046027.**

6. TAI discloses (page 1, paragraph 0017, page 2, paragraph 0030 – page 3, paragraph 0036) and shows in Figs. 3 and 4(F), a liquid crystal display device

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comprising, in each pixel area on a liquid-crystal-side surface of one of substrates disposed in opposition to each other with a liquid crystal interposed (only the electrode substrate is shown; inherently a liquid crystal display device includes an opposing substrate with a liquid crystal material between the two substrates):

- a thin film transistor (305) to be driven by supply of a scanning signal from a gate signal line (303) (Fig. 3);
- a pixel electrode (406) to be supplied with a video signal from a drain signal line (407) via the thin film transistor (Fig. 4(F)); and
- a counter electrode (409) which causes an electric field to be generated between the counter electrode and the pixel electrode (406),

the counter electrode (409) being formed in a layer overlying pixel electrode (406) with a passivation layer (408) (applicant's interposed film) interposed between at least a portion of counter electrode (409) and at least a portion of the pixel electrode (406),

the passivation layer made of transparent non-conductive insulator (organic or inorganic),

the counter electrode being made of a plurality of stripe-shaped counter electrodes which are disposed to be extended in one direction and to be juxtaposed in a direction transverses to the one direction (Fig. 3, page 2, paragraph 0017), and

the pixel electrode being made of a transparent plate-shaped (applicant's plane-shaped) electrode which is formed in a large part of the pixel area (Fig.3, page 2, paragraph 0017).

Accordingly, claims 5 and 11 are anticipated.

***Allowable Subject Matter***

7. Claims 1-4 and 8-10 are allowed.

Claims 6, 7, 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 13 and 14 are objected due to their dependency on claim 12.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) USPAT 6,005,648 is related to an in-plane switching type liquid crystal display device wherein an organic insulator is interposed between the common electrode and the pixel electrode.

b) USPAT 6,469,765 and US 2001/0048498 (commonly assigned) are related to a liquid crystal display device wherein the common electrode is formed as a lower layer on a substrate and then an insulating layer is formed on the common electrode and then a pixel electrode is formed on the insulating layer.

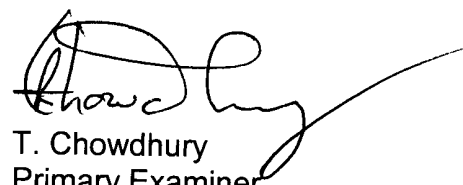
c) US 2002/0149729, assigned to the same assignee as the instant application, is related to a liquid crystal display apparatus wherein an insulating film for reducing capacity is formed between the common signal electrode and the pixel electrode.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R Chowdhury whose telephone number is (703) 308-4115. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7005 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



T. Chowdhury  
Primary Examiner  
Technology Center 2800

TRC  
June 24, 2003